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PATENT APPLICATION  
Mo-6657  
LeA 34,814

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF	)	
KARL-HEINZ DORNER ET AL	)	GROUP NO.: 1711
SERIAL NUMBER: 10/047,365	)	
FILED: JANUARY 14, 2002	)	EXAMINER: T.T. TRAN
TITLE: SOLAR MODULES WITH A	)	
TRANSPARENT POLYURETHANE	)	
FRONT SIDE AND A PROCESS	)	
FOR PRODUCING SAME	)	

**REPLY BRIEF**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner's Answer dated January 25, 2005 has been received and its contents noted. The following is in response thereto.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Commissioner for Patents, Alexandria VA 22313-1450 3/23/05

Date

Lyndanne M. Whalen, Reg. No. 29,457  
Name of applicant, assignee or Registered Representative

Signature

March 23, 2005

Date

## **REMARKS**

1. Appellants' Brief does include a statement regarding related appeals and interferences.

At page 2, in Paragraph (2) of the Examiner's Answer, it is stated:

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal ...

Appellants would direct the Board's attention to page 2, lines 1-4 at which Paragraph 2 headed "RELATED APPEALS AND INTERFERENCES" appears.

The Examiner's statement is not therefore consistent with the facts.

2. The Examiner's construction of the term "side" would not function as a solar module.

At page 5, lines 4-15 of the Examiner's Answer, the Examiner argues that the polyurethane layers of the Vaverka et al solar module are part of the front side and rear side of that module. The **only** way that the polyurethane interlayer of Vaverka et al could be present on the front side as argued by the Examiner would be to stand the Vaverka et al module on its side in a manner such that the solar cells would not collect much, if any, solar energy because only the edge of the "top" cell would be in a position to receive direct sunlight.

The module resulting from this strained construction of Vaverka et al would not therefore function as an effective solar module. The Examiner's interpretation of the teachings of the Vaverka et al reference is not therefore consistent with the teachings of that reference itself.

Vaverka et al does not therefore disclose Appellants' claimed invention in the manner necessary to support a proper rejection under 35 U.S.C. §102(b).

3. The Examiner's reliance upon In re Oetiker, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992) does not support the Examiner's rejection.

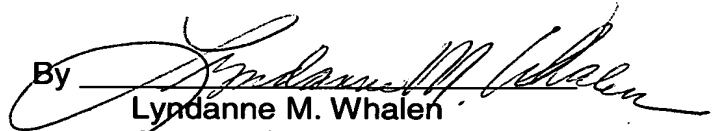
At page 5, line 17 through page 6, line 2 of the Examiner's Answer, the Examiner argues that the Shiomi et al reference is relied upon for its teaching of an opaque polyurethane and that reliance upon that teaching is appropriate in accordance with the decision in In re Oetiker, *supra*.

Appellants would first point out that they have **not** argued that the Shiomi et al reference is irrelevant. Consequently, the Examiner's reliance upon In re Oetiker, *supra* is misplaced.

Appellants have argued that, like the Vaverka et al reference, Shiomi et al does **not** teach a solar module having a transparent polyurethane front side. Further, because **neither** of the cited references discloses this important feature of Appellants' invention, the teachings of those references can not possibly be combined in any manner to "arrive at" Appellants' claimed solar modules which must have a transparent polyurethane front side.

For these reasons and those discussed in their Brief, Appellants continue to maintain that each of the Examiner's rejections is in error and respectfully request that each of these rejections be reversed and that Claims 1-8 be allowed.

Respectfully submitted,

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